

BOARD OF TRUSTEES
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MIAMI TOWNSHIP

6101 MEIJER DRIVE • MILFORD, OH 45150-2189

RESOLUTION 2016-71

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on October 18, 2016 with the following members present: Karl Schultz, Ken Tracy and Mary Makley Wolff.

MR. TRACY made a motion to adopt the following Resolution:

**RESOLUTION DECLARING AN EMERGENCY TO EXIST AND
AUTHORIZING THE REMOVAL OF SNOW AND ICE FROM
UNDEDICATED ROADS IN ACCORDANCE WITH REVISED CODE
SECTION 505.82, DISPENSING WITH THE SECOND READING AND
DECLARING AN EMERGENCY**

WHEREAS, there currently exists in Miami Township an emergency condition requiring the use of Township resources to remove snow and ice from the undedicated roads in the township in which the owner(s) of the undedicated road(s) has not provided for removal of snow and ice; and

WHEREAS, said emergency constitutes an immediate danger to the health, safety and welfare of the inhabitants of the township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio by authority of Section 505.82 of the Ohio Revised Code, as follows:

SECTION 1: An emergency is hereby declared, arising from the obstruction by snow and ice on certain undedicated road(s) in the township.

SECTION 2: The Township Service Director shall cause such road(s) to be cleared, and shall keep a record of the costs incurred and submit the same to the Board of Trustees. An equitable charge shall be imposed on the owner(s) of the road for such services, in an amount sufficient to recover the costs incurred by the township.

SECTION 3: Prior to clearing the road, the Township Fiscal Officer or Service Director shall give, or make a good faith effort to give, oral notice to the owner of road(s) the intention of the township to clear the road(s) and impose a service charge for the removal of snow and ice.

SECTION 4: When the service charge is determined and imposed, the Township Fiscal Officer shall notify the owner in writing of the amount of the charge, and certify the charge to the Clermont County Auditor, to be placed on a special tax duplicate and collected as other taxes and returned to the township general fund.

SECTION 5: Pursuant to Section 505.82 of the Revised Code, this Resolution shall remain in effect from October 18, 2016 through April 18, 2017.

SECTION 6: That this Resolution is hereby declared to be an emergency measure pursuant to Section 504.11 of the Ohio Revised Code, necessary for the immediate preservation of the public peace, health, safety, or welfare of Miami Township.

SECTION 7: The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

SECTION 8: That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9: This Resolution shall take effect at the earliest period allowed by law.

First Reading:	<u>October 18, 2016</u>
Second Reading:	<u>Dispensed with</u>
Effective:	<u>October 18, 2016</u>

MS. WOLFF seconded the motion to adopt the Resolution. On the roll call being called the vote resulted as follows:

Mr. Schultz	<u>AYE</u>
Mr. Tracy	<u>AYE</u>
Ms. Wolff	<u>AYE</u>

Resolution 2016-71 adopted October 18, 2016

ATTEST:


Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:


Joseph J. Braun,
Township Law Director

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.


Eric C. Ferry, Fiscal Officer